

**HORICON TOWN BOARD**  
**PUBLIC HEARING & REGULAR MEETING OF THE BOARD**

**JULY 21, 2011**

**7:00 PM**

Present at meeting	Ralph Bentley	Supervisor
	Frank Hill	Councilman
	Kenneth Higgins	Councilman
	Robert Olson	Councilman
	Joseph Dooris	Councilman
Krista Wood	Town Clerk	
Town Counsel	Mark Schachner	

Also: HS Paul Smith, Dianna Bentley, Matt Simpson, Charlie Smith, Gary Frenz, Bill McGhie, Tom Johansen, Jane Smith, Edna Trumble, Sandy Smith, Harry Balz, Jack Baker, ZA Gary McMeekin, Mark Younes, June Maxam, Abe Gadjio, John Donovan.

Supervisor Bentley called the meeting to order at 7:00 PM and opened the Public Hearing.

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***Public Hearing: Proposed revisions to the Town of Horicon Code of Ethics***

Supervisor Bentley opened the floor for comments from the audience. Councilman Dooris noted the revisions that are being proposed. These include setting one year term limits for the Board of Ethics members which will be appointed annually at the Organizational Meeting, allowing for the appointment of an alternate Board member, changing the requirement that one Board of Ethics member *must* be an elected or appointed official of the Town to the requirement that a majority of the Board of Ethics *not* be appointed or elected officials of the Town.

Jane Smith stated that the understanding is that one member *could* be an appointed or elected official of the Town but no longer has to be, and Counselor Schachner clarified that one or two members could be appointed or elected officials of the Town but no more than three.

There being no further comments the Public Hearing was closed at 7:10 PM.

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***Regular Meeting – 7:10 PM:***

**Approval of Minutes:** Minutes of June 16, 2011 were approved by Motion of Messrs. Hill and Higgins, all Ayes.

**Approval of Abstracts:**

**RESOLUTION #98-2011**

Messrs. Dooris and Olson introduced Res. No. 98 and moved its adoption, all Ayes:

**RESOLUTION TO AUTHORIZE PAYMENT OF ABSTRACTS**

RESOLVED, that the Town Board does hereby authorize the payment of the July 2011 Vouchers and Abstracts as follows:

General Vouchers	# 173-208	\$ 49,424.46
Highway Vouchers	# 108-124	\$ 31,106.51
General Abstracts	18 & 19	\$ 19,869.92
Highway Abstracts	18 & 19	\$ 16,395.54

**Correspondence to the Board:**

- Dan Smith RE: Letter of resignation from ZBA
- Board of Ethics RE: Recommending Jane Smith for Chairperson of Board of Ethics
- Comm. On Open Govt. RE: Advisory Opinion on FOIL and Open Meetings Law
- NYS DEC RE: Grants available from NYS DEC
- Warren Co. Tourism Dept RE: Opportunity to advertise events
- Warren Co. Emerg. Svcs. RE: FEMA aid programs for NYS disaster recovery
- Frank & Sarah Costello RE: Letter of appreciation to Highway crew for quick response time
- Warren Co. Administrator RE: Notification of increase in rate of mileage reimbursement

**Discussion on Correspondence:** There was some discussion about getting a chipper for the Landfill in light of the burn regulations but no action was taken. Also, Councilman Olson asked Supervisor Bentley how soon the Town would be able to utilize the sign board at the Civic Center. Supervisor Bentley said it would not be ready this year but next year they would be able to utilize it.

**Resolutions:**

**RESOLUTION #99-2011**

Messrs. Higgins and Dooris introduced Res. No. 99 and moved its adoption, all Ayes:

**RESOLUTION TO APPOINT BOARD OF ETHICS CHAIRPERSON**

RESOLVED, that the Town Board does hereby appoint Jane Smith as Chairperson of the Town of Horicon Board of Ethics for the remainder of the year with a term expiring on December 31, 2011.

Councilman Dooris asked Town Counselor Schachner if the Board of Ethics is required to take minutes of their meetings. Counselor Schachner said anything that does not occur in Executive Session would require minutes, however, most of the meetings of the Board of Ethics will likely occur in Executive Session due to their nature. Councilman Dooris asked if the Town Board should appoint a secretary but it was decided that the Board of Ethics could handle this.

**RESOLUTION #100-2011**

Messrs. Higgins and Olson introduced Res. No. 100 and moved its adoption, all Ayes:

**RESOLUTION DESIGNATING NEW MILEAGE ALLOWANCE**

WHEREAS, the IRS has increased the mileage reimbursement rate to 55.5 cents per mile as of June 23, 2011, NOW, THEREFORE BE IT

RESOLVED, that the Town of Horicon does hereby adopt the new IRS standard mileage rate and Town Officials will be compensated at 55.5 cents per mile for use of their vehicles in the performance of their official duties for the remainder of 2011.

**RESOLUTION #101-2011**

Messrs. Dooris and Olson introduced Res. No. 101 and moved its adoption, all Ayes:

**RESOLUTION AUTHORIZING SUPERVISOR BENTLEY TO SIGN THE AGREEMENT WITH FIVE STAR GOLF CARS**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Supervisor Bentley to sign the contract submitted by Five Star Golf Cars. The contract provides for two golf cars for transporting people on Horicon Day at a cost of \$330.00

**RESOLUTION #102-2011**

Messrs. Dooris and Olson introduced Res. No. 102 and moved its adoption, all Ayes:

**RESOLUTION TO AUTHORIZE PAYMENT FOR HORICON DAY ADS**

RESOLVED, that the Town Board does hereby authorize payment for two Horicon Day ads to be run in the Adirondack Journal in the July 28<sup>th</sup> and August 4<sup>th</sup> issues at a total cost of \$297.00.

**RESOLUTION #103-2011**

Messrs. Dooris and Olson introduced Res. No. 103 and moved its adoption, all Ayes:

**RESOLUTION TO AUTHORIZE PAYMENT FOR HORICON DAY ENTERTAINMENT**

RESOLVED, that the Town Board does hereby authorize payment to J. Mike Leddick for entertainment and equipment for Horicon Day, August 6, 2011 at a cost of \$300.00.

Councilman Olson explained the reason the Committee is seeking paid entertainment this year is because they have found that in order to get reliable entertainment it may be unreasonable to have all volunteers. In light of the added expenditures this year, Councilman Olson stated that the Committee will present a Budget request for next year's Horicon Day event.

**RESOLUTION #104-2011**

Messrs. Hill and Olson introduced Res. No. 104 and moved its adoption, all Ayes:

**RESOLUTION TO AUTHORIZE PURCHASE OF LIGHT GLOBES**

RESOLVED, that the Town Board does hereby authorize the purchase of nine globes for the lights around the Mill pond from the Town of Hague at a total cost of \$180.00.

**RESOLUTION #105-2011**

Messrs. Olson and Higgins introduced Res. No. 105 and moved its adoption, all Ayes:

**RESOLUTION TO AUTHORIZE PAYMENT TO D.L. DICKINSON FOR SERVICES**

RESOLVED, that the Town Board does hereby authorize payment to D.L. Dickinson in the amount of \$275.00 for services performed related to the Town of Horicon/Tobia property line in Adirondack.

**RESOLUTION #106-2011**

Messrs. Hill and Higgins introduced Res. No. 106 and moved its adoption, all Ayes:

**RESOLUTION TO AUTHORIZE THE TEMPORARY CLOSURE OF TANNERY RD. AND LANDFILL RD. ON JULY 31, 2011**

WHEREAS, on Sunday, July 31, 2011 Hudson Headwaters will be holding the Care for Kids 5K race, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Horicon, in consideration of the safety of the participants of the 5K Race, does hereby authorize the closing of Tannery Road and Landfill Road between 9:00 AM and 10:30 AM on Sunday, July 31, 2011.

**RESOLUTION #107-2011**

Messrs. Higgins and Olson introduced Res. No. 107 and moved its adoption, all Ayes:

**RESOLUTION TO AUTHORIZE THE TRANSFER OF FUNDS**

RESOLVED, that the Horicon Town Board does hereby authorize the bookkeeper to make the following fund transfer:

*General:*

**HORICON TOWN BOARD  
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**7:00 PM**

<b><u>From:</u></b>	<b><u>To:</u></b>	<b><u>Amount:</u></b>
1990.4 (Contin.)	1110.4 (Justice-Contr.)	\$ 171.01
1990.4 (Contin.)	1330.4 (Tax Coll-Contr.)	\$ 91.27
1110.4 (Justice-Pers.)	1430.1 (Pers. Floater)	\$ 7,876.00
1990.4 (Contin.)	7450.4 (Museum-Contr.)	\$ 600.00
8090.4 (Insect Contr.)	8090.1 (Insect-Pers.)	\$ 9,440.61
<i>Highway:</i>		
<b><u>From:</u></b>	<b><u>To:</u></b>	<b><u>Amount:</u></b>
5110.4 (GenRpr-Contr.)	5120.4 (Bridges-Contr.)	\$ 6,401.67
5148.4 (SvcsOtherGov-Contr.)	5142.4 (Snow Contr.)	\$23,000.00

**Old Business:**

**New Town of Horicon Code of Ethics:**

**RESOLUTION #108-2011**

Messrs. Dooris and Olson introduced Res. No. 108 and moved its adoption, all Ayes:

**RESOLUTION TO ADOPT NEW TOWN OF HORICON CODE OF ETHICS**

WHEREAS, the Town Board held a public hearing regarding the proposed changes to the Town of Horicon Code of Ethics, AND

WHEREAS, the Town Board has reviewed the Code of Ethics and heard all interested parties who attended the public hearing, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon does hereby adopt the Revised Town of Horicon Code of Ethics, being Local Law #1 of 2011, and a copy of said Code of Ethics will be on file in the Office of the Town Clerk. The Board further authorizes the Clerk to file Local Law #1 of 2011 with the Secretary of State.

**Assistant Zoning Administrator:** Three applications have been received for the position of Assistant Zoning Administrator. Councilman Olson stated that he would like to interview the candidates. Councilman Dooris recommended that the Zoning Committee interview the applicants and make their recommendation to the Board next month.

**Pumpkin Hollow Road Update:** Town Counselor Schachner updated the Board on Pumpkin Hollow Road. He noted that they had met with the landowners, Supervisor Bentley, Highway Superintendent Smith, Councilman Hill, and Surveyor Jim Hughes to discuss what was being proposed. He stated that presently the Town is waiting for the survey map before taking any further action. HS Smith asked if the Town was planning on widening Pumpkin Hollow Road to three rods as stated in the Request he received. Counselor Schachner stated that they talked about at least having a Town right-of-way three rods wide but not physically widening it to three rods wide. He clarified that the request submitted to the Highway Superintendent would authorize the widening but not require the widening to three rods wide. Abe Gadjo asked where everything stands now, and Counselor Schachner stated again that the Board is presently waiting for the survey map and the Town cannot move forward without the map. Abe asked if the Town intends to take the road over or not and Counselor Schachner said that as far as he knows the Town has made no formal opinion yet. Councilman Higgins stated that once they get the map then the next step would be to obtain an accurate cost of what would be involved with opening the road. Abe asked the Board if they intend to take over Pumpkin Hollow Road and said it was his understanding the Town has to take the road over. Counselor

Shachner pointed out that the Board having the right to do something is different from the Board having an obligation to do something. He said the Town is considering Abe's request to take the road over and therefore the Town wishes to define the road, but they are clearly not obligated to take any action. Abe pressed for an answer on whether or not the Town is going to take the road over. Councilman Hill stated again that the Board needs to wait for the survey map before making any further decisions. Councilman Hill also said that there are quite a few projects the Board has planned for and there is no money appropriated for Pumpkin Hollow Road so where are they supposed to go first. Jack Baker, Highway Foreman, asked why the Town would spend money on Pumpkin Hollow Road when there are a lot of other roads, which are already part of the Town highway system, that are badly in need of repair. He said the condition of some of the existing roads is so bad it makes maintaining and plowing them difficult so if the money is available then the Board should be spending it on those roads instead. Abe said he wants a decision one way or the other; either open it or close it but make a decision. The Board stated again that they could debate this all day but they must wait to see the survey map before they can make any further decisions.

**New Business:**

ZBA Alternate seat: Dan Smith submitted his resignation as the ZBA alternate.

**RESOLUTION #109-2011**

Messrs. Dooris and Higgins introduced Res. No. 109 and moved its adoption, all Ayes:

**RESOLUTION TO ADVERTISE FOR ZONING BOARD OF APPEALS ALTERNATE**

RESOLVED, that the Town Board of the Town of Horicon does hereby authorize the Clerk to advertise for an alternate for the Zoning Board of Appeals. Applications will be accepted until August 16, 2011 at 10:00 AM.

Zoning Updates: ZA Gary McMeekin updated the Board on two issues that he has been dealing with. He advised that one issue should be resolved by the first of August and the other he expects to have a recommendation for the Board by next month's meeting.

SolarNovar and Adirondack North Country Association program: Supervisor Bentley explained to the Board that he had received information on SolarNovar and ANCA's programs. He can schedule free training if the Board wishes. The Board felt it was a good idea and asked Supervisor Bentley to schedule a presentation.

Historical Society request to address the Board: Edna Trumble and Tom Johansen addressed the Board on behalf of the Horicon Historical Society concerning the Adirondack Union Church. The Horicon Historical Society is asking for approval from the Board to research taking over the Union Church under the Charter of the Horicon Museum to restore it and use it as a museum. They advised the Board that there are several grants they would be eligible for to aid with this project but time is of the essence. There was some discussion on the condition of the building and various costs associated with the project. The Board supports the idea and the following Resolution was passed:

**RESOLUTION #110-2011**

Messrs. Hill and Olson introduced Res. No. 110 and moved its adoption, all Ayes:

**RESOLUTION TO SUPPORT THE HORICON HISTORICAL SOCIETY IN ITS EFFORTS TO CREATE ANOTHER MUSEUM AT THE ADIRONDACK UNION CHURCH**

WHEREAS, the Horicon Historical Society has approached the Horicon Town Board about their desire to take on the responsibility of creating a museum at the Adirondack Union Church under the Charter of the existing Horicon Museum, AND

WHEREAS, the Horicon Historical Society has been advised that grants are presently available and may become available for such projects, AND

WHEREAS, the Horicon Historical Society is now asking the Horicon Town Board to 1) grant their request to take over the Union Church as a museum, 2) have architectural and other inspections of the building and property performed to determine the extent of building and related repairs required to enable such museum use, 3) provide copies of the inspections to the Historical Society so that both the Town and Historical Society can determine estimated cost involved with this plan, and 4) grant the Historical Society's request to apply for planning, implementation and/or capital grants toward achieving use of the Adirondack Union Church as a historical museum, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon does hereby support creation of a museum at the Adirondack Union Church by the Horicon Historical Society under the Charter for the existing Horicon Museum and encourages and allows the Horicon Historical Society to research and apply for planning, implementation and/or capital grants toward achieving use of the Adirondack Union Church as a historical museum.

**Privilege of the Floor:**

-Bill McGhie addressed the Board concerning the Schroon Lake Milfoil Committee's recent work. He explained that they have sent out an RFQ to do a milfoil survey on Schroon Lake. Although harvesting has been done in Schroon Lake a baseline has not been done and because there has never been a baseline they are unable to get any grants. They have received a quote for \$7,400.00 for the survey. Presently they have commitments from several organizations including Warren County Soil & Water, Schroon Lake Association, and the Town of Chester to contribute towards the cost of the survey. They are asking the Horicon Town Board for a contribution of \$700.00 to \$1,000.00 towards the survey.

**RESOLUTION #111-2011**

Messrs. Olson and Hill introduced Res. No. 111 and moved its adoption, all Ayes:

**RESOLUTION TO SUPPORT THE SCHROON LAKE MILFOIL PROGRAM**

WHEREAS, the Schroon Lake Milfoil Committee has sent out an RFQ to do a milfoil survey of Schroon Lake in order to be able to apply for grant monies, AND

WHEREAS, they have received a quote of \$7,400.00 for the survey, a portion of which will be covered by several local organizations who have agreed to contribute to this survey, AND

WHEREAS, the Schroon Lake Milfoil committee is asking the Town of Horicon to contribute \$700.00, not to exceed \$1,000.00, towards the survey, NOW, THEREFORE BE IT

RESOLVED, that the Horicon Town Board does hereby agree to participate in the Milfoil Survey of Schroon Lake by contributing an amount not to exceed \$1,000.00 to come out of Bed Tax monies or Contingency.

-Edna Trumble asked the Board if it would be possible to place signs at the Horicon Cemeteries for identification purposes. Councilman Higgins said the Board would look into this.

-Councilman Dooris suggested that next year money be budgeted so that the barrier could be removed along the back side of Brant Lake (Elbow) Cemetery and the fence extended down to the stone pillar. Supervisor Bentley noted that there was funding to cover this in the Perpetual Care account.

**RESOLUTION #112-2011**

Messrs. Dooris and Olson introduced Res. No. 112 and moved its adoption, all Ayes:

**RESOLUTION TO EXTEND FENCING AT BRANT LAKE (ELBOW) CEMETERY**

WHEREAS, there is currently a barrier up along the back section of Brant Lake (Elbow)

Cemetery and it has been proposed that the barrier be removed and the fence be extended down to the stone pillar, NOW, THEREFORE BE IT

RESOLVED, that the Horicon Town Board does hereby authorize the above mentioned work to be done and the funds to cover the cost are to be taken from Perpetual Care funds.

-Jane Smith asked if a new lock could be put on the Adirondack Schoolhouse and the Board said they would take care of that.

-Jack Baker asked about funding for true and leveling of the roads. With the condition of the roads he explained to the Board that this should be done. There was some discussion on why this was not being done. Councilman Hill said that if there is money in the Budget then it should be done and if there is not enough money then the Board should budget monies to provide for this work to be done.

-John Donovan suggested inventorying the roads and then reviewing the list to prioritize which roads needed repair first. This information could then be used at Budget time to determine how much work could be done based on the funds available. Plus, this would give residents an idea of when roads were going to be repaired. Councilman Hill agreed stating there should be an inventory and those roads that are most in need of repairs, and most heavily traveled, should be first on the list to be repaired.

**Adjourn...** There being no further business to attend to the meeting was adjourned at 8:30 PM by MOTION of Messrs. Dooris and Olson, all in favor.

Respectfully Submitted:

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Town Clerk